

## **REMARKS**

Pending claims 1-3, 6-19, and 21-23 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,722,797 to Horton, III (Horton) in view of U.S. Patent No. 4,217,848 to Meyer-Haake (Meyer-Haake). Additionally, claims 4-5 and 20 were rejected as obvious over the combination of Horton, Meyer-Haake, and U.S. Patent No. 3,986,471 to Haselton (Haselton). Applicants respectfully traverse these rejections for the reasons set forth below.

### **The Obviousness Rejection of Claims 1-3, 6-19, and 21-23**

The Examiner rejected claims 1-3, 6-19, and 21-23 as obvious over Horton in view of Meyer-Haake. Applicants respectfully traverse the rejection. The combination of Horton and Meyer-Haake fails to teach or suggest each element of pending claim 1. In the office action, the Examiner states that Horton fails to teach or suggest the step of vertically positioning the floating structure with the heave plate along a common vertical axis. As previously discussed with the examiner, Meyer-Haake also fails to teach such a step. In the summary of the June 6, 2008 interview regarding this case, the Examiner “conceded that element 12 of Mayer-Haake ‘848 was improperly interpreted as a heave plate.” As such, the Examiner has conceded that neither Horton nor Meyer-Haake teaches the step of “vertically positioning said floating structure with said heave plate along a common vertical axis.” As such, the combination of references fails to teach each step of the claimed method and claim 1 is believed to be allowable for at least this reason. All remaining claims include the allowable limitations of claim 1, so allowance of all pending claims is respectfully requested.

Second, the combination of Horton and Meyer-Haake is improper because the “floating island” of Meyer-Haake is not analogous to the heave plate of the present claim. A heave plate, as defined in the application, is a plate designed to add mass and increase damping of the floating structure “...at depths below the active wave zones of a water body.” Application, para. [0033]. Horton appears to show such

structures. *See, e.g.* Horton, FIG. 1. In contrast, the unit **12** of Meyer-Haake is referred to as a “floating island which bears the actual liquefaction installation with machines, etc...” Meyer-Haake at col. 4, ll. 4-6. In each of the figures of Meyer-Haake, the unit **12** of Meyer-Haake is on or above the surface of the water. Applicants assert that the “floating island” of Meyer-Haake is not analogous to the heave plates of Horton and a person of ordinary skill in the art would not look to the construction techniques of Meyer-Haake in combination with the heave plates of Horton. For at least this reason, Horton and Meyer-Haake are not combinable and fail to make the claims of the present invention obvious. Applicants respectfully request allowance of all pending claims for at least the reasons presented herein.

**The Obviousness Rejection of Claims 4, 5, and 20**

The Examiner rejected claims 4, 5, and 20 as obvious over Horton and Meyer-Haake in further view of Haselton. Applicants respectfully request reconsideration of this rejection in light of the comments above. Claims 4, 5, and 20 all depend from claim 1 and Haselton fails to disclose the missing limitations discussed above. For at least these reasons, all of the pending claims are believed to be patentable over the prior art and allowance of all pending claims is respectfully requested.

## **CONCLUSION**

In light of the remarks set forth above, Applicants respectfully request allowance of all pending claims. Further, Applicants invite the Examiner to contact the undersigned at the telephone number listed below to further discuss the application if so desired.

Respectfully submitted,

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